

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**YURMAN STUDIO, INC. and YURMAN
DESIGN, INC.,** : Civil Action No. 07-1241 (SAS)(HP)
: (Action No. 1)

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.

CARTIER, a division of RICHEMONT NORTH AMERICA, INC., CARTIER INTERNATIONAL, N.V., CARTIER CREATION STUDIO, S.A., VAN CLEEF & ARPELS S.A., VAN CLEEF & ARPELS, INC., VAN CLEEF & ARPELS DISTRIBUTION, INC., GUCCI AMERICA, INC., and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants.

Civil Action No. 07-1241 (SAS)(HP)
(Action No. 1)

x

X

Civil Action No. 07-7862 (SAS)(HP)
(Action No. 2)

**DECLARATION OF DAVID YURMAN IN SUPPORT OF
YURMAN STUDIO, INC.'S AND YURMAN DESIGN, INC.'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

EXHIBIT C

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

FORM VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VA 1-024-276

1600001624276

EFFECTIVE DATE OF REGISTRATION

Aug 21 2000
Month Day Year

Marybeth Peters
Register of Copyrights, United States of America

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

Pave Collection Enhancer D06384

NATURE OF THIS WORK ▼ See Instructions

Jewelry Design

PREVIOUS OR ALTERNATIVE TITLES ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼	Number ▼	Issue Date ▼	On Pages ▼
---	----------	--------------	------------

2

NAME OF AUTHOR ▼

David Yurman

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

1942

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

Was this contribution to the work a "work made for hire"? Yes No

Author's Nationality or Domicile

Name of Country

OR Citizen of ▶ U.S.A.

Domiciled in ▶ New York

Was This Author's Contribution to the Work

Anonymous? Yes No

Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

- 3-Dimensional sculpture
- Map
- Technical drawing
- 2-Dimensional artwork
- Photograph
- Text
- Reproduction of work of art
- Jewelry design
- Architectural work

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No

Author's Nationality or Domicile

Name of Country

OR Citizen of ▶

Domiciled in ▶

Was This Author's Contribution to the Work

Anonymous? Yes No

Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

- 3-Dimensional sculpture
- Map
- Technical drawing
- 2-Dimensional artwork
- Photograph
- Text
- Reproduction of work of art
- Jewelry design
- Architectural work

3

Year in Which Creation of This Work Was

Completed

1997

This information must be given in all cases.

b

Date and Nation of First Publication of This Particular Work

Complete this Information Month ▶ March Day ▶ 13 Year ▶ 1997

Natio

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2 ▼

Yurman Design Inc.

56 Madison Avenue

New York, NY 10022

Transferee: If the claimants named here in space 4 is (are) different from the author(s) named in space 2, give a statement of how the claimants obtained ownership of the copyright. ▼

Assignment from David Yurman

APPLICATION RECEIVED

AUG 21 2000

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

AUG 21 2000

FUNDS RECEIVED

NOTE: WRITE HERE
OR USE ONLY
15
16
17
18
19
20

MORE ON BACK ▶ Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
* See detailed instructions.

DO NOT WRITE HERE
Page 1 of 2 page

EXAMINED BY	DW	FORM VA
CHECKED BY		
<input type="checkbox"/> CORRESPONDENCE Yes		FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼

- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

6

a
See instructions
before completing
this space.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼

7

a

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

Joseph Ramirez/Yurman Design Inc.
501 Madison Avenue
New York, NY 10022

Area code and daytime telephone number ► (212) 896-1550

Fax number ► (212) 593-1597

Email ► jramirez@davidyurman.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one ►

- { author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of Yurman Design Inc.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date

Joseph Ramirez

Date ► July 28, 2000

Handwritten signature (X) ▼

X 

Certificate
will be
mailed in:
window
envelope
to this
address:

N2 ▼
Yurman Design Inc. / Joseph Ramirez
Number/Street/Apt ▼
501 Madison Avenue
City/State/Zip ▼
New York, NY 10022

YOU MUST
• Complete all necessary spaces
• Sign your application in space E
SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE

1. card form
2. Indefinite fee - fee in check or money
order payable to: Register of Copyrights
3. Deposit material

MAIL TO
Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000
As of July 1, 1998,
the filing fee for
Form VA is \$30.

*17 U.S.C. § 506(a). Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 406, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

June 1999—100,000
WEB REV: June 1999

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9



D06384

VA 1-024-276

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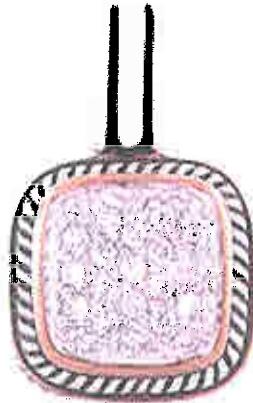
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ORDERS USUALLY SHIP SAME BUSINESS DAY. FREE GROUND SHIPPING ON ORDER OVER \$99[Sterling Silver & CZ Necklaces & Pendants](#) > [David Yurman Jewelry Inspired Knockoff Pave CZ Albion Pendant](#)**David Yurman Jewelry Inspired Knockoff Pave CZ Albion Pendant**Availability: **In Stock**Order Now & Ships: **Fri, Feb 16**

Item #: BSB-PCZALB

List Price: \$149.99

Our Price: **\$54.99**[Necklace Sizing Chart](#)[Add to Shopping Bag](#)**Our Bestsellers****Mikimoto & Co. Inspired South Sea Shell Pearl Earrings** [MORE COLORS](#) **\$29.99****Matching Items****David Yurman Inspired Replica Pave Albion Ring** **\$39.99****Inspired By David Yurman Jewelry Knockoff Pave CZ Albion Earrings** **\$59.99****David Yurman Inspired Gold Plated Box Link Chain Necklace** **\$19.99****David Yurman Silver Ice Crossover Inspired Imitation Sterling Silver Circle Pendant** **\$49.99****David Yurman Inspired Knockoff Sterling Silver 14****OTHER VIEWS:**[Click to enlarge](#)**DESCRIPTION:**

Set in silver and pave-encrusted with CZs, this David Yurman designer inspired pendant features the world-renowned cable design and 10kt. gold vermeil detailing around the outside edges. CHAIN IS NOT INCLUDED.

Measures: .75" H x .75" W**Weight:** 12 grams**Material:** .925 Sterling Silver CZ Gold Vermeil**Category:** silver cubic zirconia pendant

All measurements are approximate. Designer mentioned does not make this item. Please read our [disclaimer](#).

CUSTOMER REVIEWS:

Earrings are beautiful! Looks to be much more expensive than what I paid. I received items very

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Heart Shaped Jewelry

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Equestrian Jewelry

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Pearls

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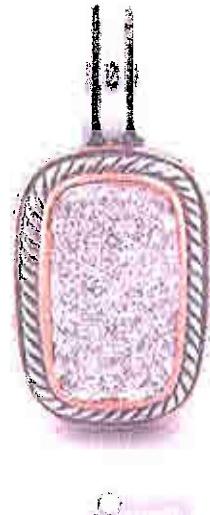
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[New Arrivals Page 3](#) > David Yurman Jewelry Inspired Reproduction Pave CZ Rectangular Cable Pendant

David Yurman Jewelry Inspired Reproduction Pave CZ Rectangular Cable Pendant



Availability: **In Stock**

Order Now &
Ships: **Fri, Feb 16**

Item #: DY2882

List Price: \$74.99

Our Price: \$54.99

[Necklace Sizing Chart](#)

[Add to Shopping Bag](#)

New Flat Shipping Rates:

FREE GROUND Shipping

on orders over **\$60**

USA East Coast Ground **\$4.50**

USA Mid West Ground **\$5.50**

USA West Coast Ground **\$6.75**

Intl. Shipping is **\$25.** [more info](#)

[Cartier-esque Inspired Two-Tone Stainless Steel Screw Motif Love Bangle](#)
\$49.99

Matching Items

[David Yurman Inspired 3mm Sterling Silver Cable w/ 14k Gold Necklace](#)
\$199.99

[David Yurman Inspired Replica Pave Albion Ring](#)
\$39.99



[David Yurman Inspired Jewelry Replica Knockoff Pave CZ Rectangular Albion Earrings](#)
\$59.99



[Click to enlarge](#)

OTHER VIEWS:

DESCRIPTION:

Set in silver and pave-encrusted with CZs, this David Yurman designer inspired rectangular pendant features the world-renowned cable design and 10kt. gold vermeil detailing around the outside edges. CHAIN IS NOT INCLUDED.

Measures: 1 1/2" H x 3/4" W

Weight: 12 grams

Material: .925 Sterling Silver 14K Gold Vermeil Cubic Zirconia

Category: silver pendant

All measurements are approximate. Designer mentioned does not make this item. Please read our [Disclaimer](#).

CUSTOMER REVIEWS:

I purchased two beautiful earrings for my upcoming wedding because I couldn't decide which I like

[David Yurman Jewelry Inspired Lookalike Rectangular CZ Pendant with Double Chains MORE COLORS!](#)
\$139.99



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Designer Inspired Jewelry

Designer Inspired Baby Charms

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Heart Shaped Jewelry

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Rings

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Ankle Bracelets

Accessories

Baby Gifts & Charms

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Pearls

Diamond Jewelry

Gemstone Jewelry

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Sterling Silver & CZ Earrings > Inspired By David Yurman Jewelry Knockoff Pave CZ Albion Earrings

Inspired By David Yurman Jewelry Knockoff Pave CZ Albion Earrings

Availability: **In Stock**
 Order Now &
 Ships: **Fri, Feb 16**
 Item #: BSB-EPALB
 List Price: \$169.99

Our Price: **\$59.99**

Add to Shopping Bag

New Flat Shipping Rates:**FREE GROUND Shipping**on orders over **\$60**USA East Coast Ground **\$4.50**USA Mid West Ground **\$5.50**USA West Coast Ground **\$6.75**Int'l. Shipping is **\$25.** [more info](#)**Our Bestsellers**

Tiffany Inspired Jewelry
 Baguette Diamond CZ
 Woven Band Ring
\$39.99

Matching Items

David Yurman Jewelry
 Inspired Knockoff Pave CZ
 Albion Pendant
\$54.99



David Yurman Jewelry
 Reproduction CZ Pave
 Albion Ring
\$44.99



David Yurman Inspired Go
 and Silver Oval Link Chain
 Necklace
\$110.99



SALE! Tiffany Inspired
 Imitation Two-Tone Round
 Link Ring
\$19.99



Tiffany Inspired Copy

OTHER VIEWS:

Click to enlarge



Click to enlarge

DESCRIPTION:

These silver earrings are made in the likeness of David Yurman and feature world famous cable design. Gold vermeil detailing finishes the edges, and the center is pave-set with real cubic zirconia stones. For pierced ears only.

Measures: 5/8" H x 5/8" W**Weight:** 6 grams**Material:** Silver Gold Vermeil CZ Cubic Zirconia**Category:** silver cubic zirconia earring

All measurements are approximate. Designer mentioned does not make this item. Please read our [disclaimer](#).

CUSTOMER REVIEWS:

I was pleased with the purchase. The items were exactly as described and at a good price. Delivery

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Designer Inspired Baby Charms

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Chandelier Earrings

Bridal Jewelry

Heart Shaped Jewelry

Tennis Bracelets & Necklaces

Chains

Cufflinks

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Equestrian Jewelry

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Bracelets

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Rings

Pins & Brooches

Ankle Bracelets

Accessories

Baby Gifts & Charms

[Clearance Sale Jewelry](#)

MATERIALS

Sterling Silver & CZ

Gold Jewelry

Pearls

Diamond Jewelry

Gemstone Jewelry

Turquoise Jewelry

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Bridal Jewelry - Complete List > David Yurman Jewelry Reproduction CZ Pave Albion Ring

David Yurman Jewelry Reproduction CZ Pave Albion Ring



Availability: **In Stock**
Order Now &
Ships: **Fri, Feb 16**
Item #: G-SCR3157T
List Price: \$139.99

Our Price: **\$44.99**

Choose size: **6**

[Ring Sizing Chart](#)

Our Bestsellers

Tiffany Inspired Paloma Picasso Loving Heart Pendant
\$29.99

Matching Items



David Yurman Jewelry Inspired Knockoff Pave CZ Albion Pendant
\$54.99



Inspired By David Yurman Jewelry Knockoff Pave CZ Albion Earrings
\$59.99



David Yurman Silver Ice Inspired Copy Albion Pendant & Earrings Set
\$89.99



David Yurman Inspired Replica Pave Diamond Cz Ball Multi Box Link Necklace
\$99.99



Click to enlarge

OTHER VIEWS:

DESCRIPTION:

Made of silver, this David Yurman Jewelers faux jewelry ring features the famous cable design and is edged with 10K gold vermeil detailing. Pave-encrusted with real cubic zirconia stones, the entire ring is rhodium-plated to provide the look of real diamonds and white gold. Now you, too, can have the look of Hollywood jewelry designers but without the celebrity pricing.

Measures: 3/4" H x 3/4" W

Weight: 14 grams

Material: Silver Gold Vermeil CZ Cubic Zirconia

Category: silver cz ring

All measurements are approximate. Designer mentioned does not make this item. Please read our [disclaimer](#).

CUSTOMER REVIEWS:



David Yurman Inspired 14 Gold & Sterling Silver Two Tone Carved Heart Pin
\$89.99

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Heart Shaped Jewelry

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Chains

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Bracelets

Necklaces & Pendants

Earrings

Rings

Pins & Brooches

Ankle Bracelets

Accessories

Baby Gifts & Charms

Clearance Sale Jewelry

MATERIALS

Sterling Silver & CZ

Gold Jewelry

Pearls

Diamond Jewelry

Gemstone Jewelry

Turquoise Jewelry

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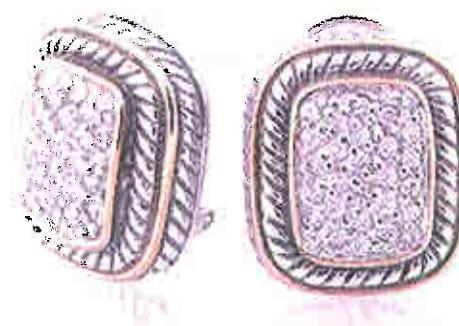
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David Yurman Jewelry Inspired Replicas Collection > David Yurman Inspired Jewelry Replica Knockoff Pave CZ Rectangular Albion Earrings

David Yurman Inspired Jewelry Replica Knockoff Pave CZ Rectangular Albion Earrings

Our Bestsellers



Availability: **In Stock**

Order Now &
Ships: **Fri, Feb 16**

Item #: BSB-3702

List Price: \$149.99

Our Price: \$59.99

New Flat Shipping Rates:

FREE GROUND Shipping

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USA East Coast Ground \$4.50

USA Mid West Ground \$5.50

USA West Coast Ground \$6.75

Intl. Shipping is \$25. [more info](#)

SALE! Tiffany Inspired Replica Sterling Silver Jewelry Heart Link Lariat Necklace \$39.99

Matching Items



David Yurman Inspired Replica Pave Albion Ring \$39.99



David Yurman Jewelry Inspired Reproduction Pav CZ Rectangular Cable Pendant \$54.99



David Yurman Silver Ice Inspired Copy Albion Pendant & Earrings Set \$89.99



David Yurman Inspired Tw Tone Crossover Silver Ice Cross Pendant \$39.99



[Click to enlarge](#)

DESCRIPTION:

These rectangular silver earrings are made in the likeness of David Yurman and features the world famous cable design. Gold vermeil detailing lines the edges, and the center is pave-set with real cubic zirconia stones. For pierced ears only.

Measures: 1/2" in width & 5/8" in height

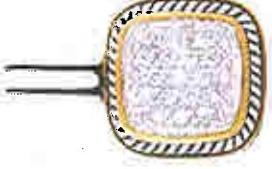
Weight: 8 grams

Material: .925 Sterling Silver 14K Gold Vermeil CZ Cubic Zirconia

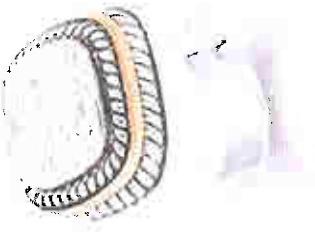
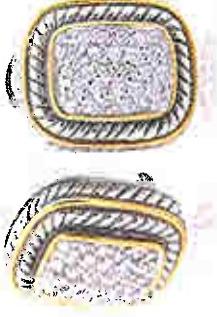
Category: silver earrings

All measurements are approximate. Designer mentioned does not make this item. Please read our [disclaimer](#).

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